



City Council Chambers
3300 Capitol Avenue
Fremont, California

City Council

Bob Wasserman, Mayor
Suzanne Lee Chan, Vice Mayor
Anu Natarajan
Bill Harrison

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Annabell Holland, Interim Assistant City
Manager/Parks & Recreation Director

Dawn G. Abrahamson, City Clerk
Robert Beyer, Interim Community Dev. Director
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Mary Kaye Fisher, Interim Human Resources Dir.
Norm Hughes, City Engineer
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Lori Taylor, Economic Development Director
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

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Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

REVISED 12/13/10
NOTICE AND AGENDA OF SPECIAL MEETING
CLOSED SESSION
CITY OF FREMONT
and
REDEVELOPMENT AGENCY

DATE: Tuesday, December 14, 2010

TIME: 6:30 p.m.

LOCATION: Fremont Room, 3300 Capitol Avenue, Fremont

The Council and Agency will convene a special meeting. It is anticipated the Council and Agency will immediately adjourn the meeting to a closed session for granting authority to its real property negotiators and to confer with and receive advice from its attorney regarding existing litigation in one matter, as follows:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS: This closed session is authorized by Government Code Section 54956.8 at the time and place stated above to confer with and grant authority regarding price and terms of payment to its real property negotiators.

Property Owner	Address	Parcel No.	Acres
Redevelopment Agency	37070 Fremont Blvd.	501-142600403	2.50
Redevelopment Agency	37120 Fremont Blvd.	501-142600601	.77
Redevelopment Agency	37156 Fremont Blvd	501-142600803	2.00
Redevelopment Agency	37196 Fremont Blvd.	501-142601002	.75
Redevelopment Agency	37122 Fremont Blvd.	501-142601100	.54
Redevelopment Agency	37218 Fremont Blvd.	501-142601203	.05

The Brown Act requires the negotiators (even when not attending the meeting) to be listed in this notice. Those negotiators are:

For the Agency—(which will be represented at the meeting) Elisa Tierney, Redevelopment Agency Director; Agency Attorney, Harvey Levine and Special Counsel, Jack Nagel.

For the Property Owner—(Not present at the meeting) Brad Blake

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

This Closed Session is authorized by subdivision (a) of Section 54956.9 of the Government Code and will pertain to existing litigation in one matter.

John Freeman v. City of Fremont, Case No. RG10541529

This Special Meeting is being called by Chairman Wasserman.

AGENDA
FREMONT CITY COUNCIL REGULAR MEETING
DECEMBER 14, 2010
COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A
7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 *Motion to Waive Further Reading of Proposed Ordinances
(This permits reading the title only in lieu of reciting the entire text.)*
- 2.2 *Approval of Minutes – None.*
- 2.3 *GENERAL VACATION OF A PORTION OF THORNTON AVENUE AND POST STREET IN THE CENTERVILLE PLANNING AREA (PLN2009-00258)
Reschedule Public Hearing (Published Notice) to Consider a General Vacation to Abandon a Portion of Thornton Avenue and Post Street in the Centerville Planning Area (PLN2009-00258) and If Approved to Authorize Conveyance of the Vacated Portion of the Street to Dale Hardware*

Contact Person:

<i>Name:</i>	<i>Terence Wong</i>	<i>Jeff Schwob</i>
<i>Title:</i>	<i>Associate Planner</i>	<i>Planning Director</i>
<i>Dept.:</i>	<i>Community Development</i>	<i>Community Development</i>
<i>Phone:</i>	<i>510-494-4456</i>	<i>510-494-4527</i>
<i>E-Mail:</i>	<i>twong@fremont.gov</i>	<i>jschwob@fremont.gov</i>

RECOMMENDATION: Direct the Clerk to reset public hearing to January 11, 2011 and direct staff to post and publish the notices of vacation as required by state law.

2.4 WARREN AVENUE AND KATO ROAD GRADE SEPARATION GRANT AGREEMENTS

Adoption of Two Resolutions Committing Funds and Authorizing the Execution of Highway-Railroad Crossing Safety Account (HRCSA) Grant Documents for the Warren Avenue and Kato Road Grade Separation Projects

Contact Person:

*Name: Jim Pierson
Title: Director
Dept.: Transportation and Operations
Phone: 510-494-4722
E-Mail: jpierson@fremont.gov*

RECOMMENDATION:

- 1. Adopt a resolution committing funds and authorizing the City Manager to execute the Highway-Railroad Crossing Safety Account (HRCSA) Project Baseline Agreement for the Warren Avenue Grade Separation Project.*
- 2. Appropriate HRCSA grant funds of \$9,600,000 to 528PWC8074 for the Warren Avenue Grade Separation Project.*
- 3. Adopt a resolution committing funds and authorizing the City Manager to execute the Highway-Railroad Crossing Safety Account (HRCSA) Project Baseline Agreement for the Kato Road Grade Separation Project.*
- 4. Appropriate HRCSA grant funds of \$10,000,000 to 528PWC8697 for the Kato Road Grade Separation Project.*

2.5 FY 2010/11 MEDI-CAL TARGETED CASE MANAGEMENT MEMORANDA OF UNDERSTANDING WITH ALAMEDA COUNTY

Authorization for the City Manager to Execute Two FY 2010/11 Memoranda of Understanding with Alameda County Health Care Services Agency for the Medi-Cal Targeted Case Management Program

Contact Person:

<i>Name:</i>	<i>Arquimides Caldera</i>	<i>Suzanne Shenfil</i>
<i>Title:</i>	<i>Deputy Director</i>	<i>Director</i>
<i>Dept.:</i>	<i>Human Services</i>	<i>Human Services</i>
<i>Phone:</i>	<i>510-574-2056</i>	<i>510-574-2051</i>
<i>E-Mail:</i>	<i>acaldera@fremont.gov</i>	<i>sshensfil@fremont.gov</i>

RECOMMENDATION: Authorize the City Manager or designee to sign two Memoranda of Understanding to enable the City to receive reimbursement for family case management and senior case management services provided to Medi-Cal eligible clients as part of the FY 2010/11 Targeted Case Management program as described in the staff report.

2.6 *FY 2010/11 MEDI-CAL ADMINISTRATIVE ACTIVITIES MEMORANDUM OF UNDERSTANDING WITH ALAMEDA COUNTY*

Authorize the City Manager to Execute a Memorandum of Understanding with the Alameda County Health Care Services Agency for Fremont Human Services FY 2010/11 Medi-Cal Administrative Activities

Contact Person:

<i>Name:</i>	<i>Arquimides Caldera</i>	<i>Suzanne Shenfil</i>
<i>Title:</i>	<i>Deputy Director</i>	<i>Director</i>
<i>Dept.:</i>	<i>Human Services</i>	<i>Human Services</i>
<i>Phone:</i>	<i>510-574-2056</i>	<i>510-574-2051</i>
<i>E-Mail:</i>	<i>acaldera@fremont.gov</i>	<i>sshenfil@fremont.gov</i>

RECOMMENDATION: Authorize the City Manager or his designee to execute a Memorandum of Understanding with the Alameda County Health Care Services Agency to enable the City's Human Services Department to receive FY 2010/11 reimbursement of funds through Alameda County's Medi-Cal Administrative Activities Program, as described in the staff report.

2.7 *APPROVAL OF FINAL MAP TRACT 8040 AT 2400 AND 2450 DURHAM ROAD BY SOLSTICE HOMES, LLC*

Approval of Final Map, Improvement Agreements for Construction of Public Street (Durham Road) and Private Streets (Cassatt Common, Monet Terrace, Renoir Terrace, and Degas Terrace), and Dedication of Land and Public Easements for Tract 8040

Contact Person:

<i>Name:</i>	<i>Diana Cangco</i>	<i>Norm Hughes</i>
<i>Title:</i>	<i>Engineer II</i>	<i>City Engineer</i>
<i>Dept.:</i>	<i>Community Development</i>	<i>Community Development</i>
<i>Phone:</i>	<i>510-494-4733</i>	<i>510-494-4748</i>
<i>E-Mail:</i>	<i>dcangco@fremont.gov</i>	<i>nhughes@fremont.gov</i>

RECOMMENDATION: Adopt a resolution:

- 1. Approving the final map and the improvement plans for Tract 8040.*
- 2. Approving the Agreement for Public Street Improvements entitled "Improvement Agreement Public Street Improvements Tract 8040", with the developer, Solstice Homes, LLC, and authorizing the City Manager to execute the agreement on behalf of the City.*
- 3. Approving the Agreement for Private Street Improvements entitled "Improvement Agreement Private Street Improvements Tract 8040", with the developer, Solstice Homes, LLC, and authorizing the City Manager to execute the agreement on behalf of the City.*
- 4. Accepting the developer's offer of dedication of land, as identified on the final map, provided that the acceptance of the offer of dedication for any public streets shall be conditioned upon the developer's completion of improvements to the satisfaction of the City Engineer.*

5. *Accepting and appropriating the developer's payment of \$32,000, the developer's contribution to modify the existing signalized intersection of Durham Road and I-680 Northbound Off-ramp, to project 502PWC8743.*
6. *Authorizing the City Manager or his designee to execute separate maintenance agreements with California Department of Transportation and with the developer as described herein.*

2.8 **WASHINGTON BOULEVARD/PASEO PADRE PARKWAY GRADE SEPARATION PROJECT – PROJECT MANAGEMENT AGREEMENT AMENDMENT**

Approval of an Eighth Amendment to the Professional Services Agreement with Abtahi Engineering Management Consultants for \$50,000 for On-Call Project Management Services for the Washington Boulevard/Paseo Padre Parkway Grade Separation Project PWC 8156

Contact Person:

Name: Jim Pierson
Title: Director
Dept.: Transportation & Operations
Phone: 510-494-4722
E-Mail: jpierson@fremont.gov

RECOMMENDATION: *Authorize the City Manager or his designee to execute Amendment Number Eight to the Service Agreement for Grade Separation Project Management Services with Abtahi Engineering Management Consultants in an amount not to exceed \$50,000.*

2.9 **AGREEMENT FOR SENIOR CENTER FOOD SERVICES AND DELIVERY**
Approval of Senior Center Food Services and Delivery Agreement with Sysco San Francisco, Inc.

Contact Person:

Name:	Karen Grimsich	Suzanne Shenfil
Title:	AFS Administrator	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2062	510-574-2051
E-Mail:	kgrimsich@fremont.gov	sshenfil@fremont.gov

RECOMMENDATION: *Authorize the City Manager or designee to: 1) execute an agreement with Sysco San Francisco, Inc., for food service and delivery at the Fremont Senior Center, in an amount not to exceed \$115,000; 2) authorize the City Manager or designee to extend the contract for an additional year in an amount not to exceed \$115,000, subject to satisfactory performance, and adoption of the FY 2011/12 budget, for a total contact amount of \$230,000.*

2.10 TIMING OF COLLECTION OF AFFORDABLE HOUSING IMPACT FEES AND IN-LIEU FEES - CITYWIDE

Adopt a Resolution to Allow Collection of Affordable Housing Impact Fees and Affordable Housing In-Lieu Fees After Building Permit Issuance but Prior to Any Occupancy and to Establish that the Fee Amount to be Paid is the Amount in Effect at the Time of Building Permit Issuance

Contact Person:

Name:	Joel Pullen/Wayne Morris	Jeff Schwob
Title:	Planner II/Senior Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4436	510-494-4527
E-Mail:	jpullen@fremont.gov	jschwob@fremont.gov

RECOMMENDATION: *Adopt a resolution in accordance with Sections 8-22174(b) and 8-22177 (f)(2) of the Fremont Municipal Code to allow collection of affordable housing impact and in-lieu fees after building permit issuance, but prior to the date of the final inspection, certificate of occupancy, or for a period of eighteen months after the date of permit issuance, whichever occurs first; and to establish that the fee amount to be paid is the amount in effect at the time of building permit issuance.*

2.11 DEVELOPMENT IMPACT FEE ANNUAL REPORT FOR FISCAL YEAR 2009/10
Consideration of the Development Impact Fee Annual Report for Fiscal Year 2009/10 and Findings Required by the Mitigation Fee Act

Contact Person:

Name:	Sean O'Shea	Tish Saini
Title:	Management Analyst II	Accountant
Dept.:	Community Development	Finance
Phone:	510-494-4777	510-494-4606
E-Mail:	soshea@fremont.gov	tsaini@fremont.gov

RECOMMENDATION: *Adopt a resolution to approve the Development Impact Fee Annual Report for Fiscal Year 2009/10, and to make the findings required by the Mitigation Fee Act, as follows:*

- 1. The purpose of the park dedication in lieu fees is for all new residential development to pay for new development's share of the cost of acquiring land for parks in Fremont.*
- 2. The purpose of the park facilities fees is to fund new development's share of the development of new recreational facilities in Fremont.*
- 3. The purpose of the traffic impact fees is to fund new development's share of the development of new traffic improvements in Fremont.*
- 4. The purpose of the fire facilities fees is to fund new development's share of the development of new fire facilities in Fremont.*
- 5. The purpose of the capital facilities fees is to fund new development's share of the development of new capital facilities in Fremont.*
- 6. The reasonable relationship between the park dedication in lieu fee, park facility*

fee, traffic impact fee, fire facilities fee, and capital facilities fee and the purpose for which they are charged is demonstrated in the Park Dedication in Lieu Fees and Park Facilities Fee Technical Report, Traffic Impact Fee Technical Report, Fire Facilities Technical Report, and Capital Facilities Fee Technical Report, each dated January 2008, and the City Council resolution adopting the fees and the staff report supporting the resolution, all of which are incorporated by reference.

7. *The sources and amounts of funding anticipated to complete financing of future park dedication in lieu fee, park facility fee, traffic impact fee, fire facilities fee, and capital facilities fee projects are identified in the Five-Year (2009-2014) Capital Improvement Program (CIP), adopted by the Fremont City Council on June 9, 2009.*
8. *Approximate dates of funding for park dedication in lieu fee, park facilities fee, traffic impact fee, fire facilities fee, and capital facilities fee projects are identified in the Five-Year (2009-2014) Capital Improvement Program (CIP), adopted by the Fremont City Council on June 9, 2009.*

2.12 AMENDMENT TO PMC WORLD CONTRACT

Authorize the City Manager to Execute an Amendment Increasing the Current Contract with PMC World by \$131,001 to a Total of \$321,000 for Project Management Services Related to the Former NUMMI Property and Surrounding Areas

Contact Person:

<i>Name:</i>	<i>Maya Williams</i>	<i>Annabell Holland</i>
<i>Title:</i>	<i>Management Analyst II</i>	<i>Interim Assistant City Manager</i>
<i>Dept.:</i>	<i>City Manager's Office</i>	<i>City Manager's Office</i>
<i>Phone:</i>	<i>510-284-4013</i>	<i>510-284-4005</i>
<i>E-Mail:</i>	<i>mwilliams@fremont.gov</i>	<i>aholland@fremont.gov</i>

RECOMMENDATION: 1) Authorize the City Manager or his designee to increase the contract with PMC World by \$131,001, to a total of \$321,000 for project management services related to the former NUMMI property and surrounding areas. 2) Appropriate \$131,001 from unallocated Capital Improvement fund 501 balance to 501PWC8735.

2.13 ACCEPTANCE OF A GIFT OF A 1.29 ACRE PARCEL OF LAND ON MISSION PEAK

Acceptance of a 1.29 Acre Parcel of Land Surrounded by City and East Bay Regional Park District Property on Mission Peak Subject to Approval of Documents by the City Attorney

Contact Person:

<i>Name:</i>	<i>Harvey Levine</i>
<i>Title:</i>	<i>City Attorney</i>
<i>Dept.:</i>	<i>City Attorney's Office</i>
<i>Phone:</i>	<i>510-284-4030</i>
<i>E-Mail:</i>	<i>hlevine@fremont.gov</i>

RECOMMENDATION: Accept the offer subject to approval of all documents by the City Attorney. Authorize the City Manager to execute all implementing documents.

3. CEREMONIAL ITEMS

- 3.1 Proclamation: Recognition of Fremont Police Department Three-Year Volunteer CARE Program

4. PUBLIC COMMUNICATIONS

- 4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – None.

PUBLIC FINANCING AUTHORITY – None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

- 6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS

- 7.1 ENVIRONMENTAL EDUCATION CENTER
Recommend the Transfer and Appropriation of \$300,000 for Construction of a Modular Environmental Education Center in Central Park

Contact Person:

Name:	Barbara Silva	Kathy Cote
Title:	Environmental Specialist II	Environmental Services Manager
Dept.:	Environmental Services	Environmental Services
Phone:	510-494-4575	510-494-4583
E-Mail:	bsilva@fremont.gov	kcote@fremont.gov

RECOMMENDATION:

1. Support the construction of a Modular Environmental Education Center in Central Park, at the existing trailer site between gates C and D on the northeast side of the old Swim Lagoon site, (site plan)
2. Approve the transfer \$225,000 from the Recreation Services Operation Improvement Fund 189 to Fund 501 Capital Improvement and appropriate the \$225,000 to 501PWC8744 to complete this project.
3. Appropriate \$75,000 from Urban Runoff Clean Water Fund Balance (Fund 123) to 123PWC 8744 for the construction of a Modular Environmental Education Center in Central Park.

7.2 UPDATE ON SOUTH FREMONT/WARM SPRINGS AREA STUDIES
Receive Update on South Fremont/Warm Springs Area Studies

Contact Person:

Name:	Brian Millar	Lori Taylor
Title:	Project Manager	Director
Dept.:	City Manager's Office	Economic Development
Phone:	510-284-4008	510-284-4020
E-Mail:	bmillar@fremont.gov	ltaylor@fremont.gov

RECOMMENDATION: Receive presentation and provide feedback to City staff and the consultant team.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

8.1.1 **COUNCIL DISCUSSION:** Discussion of Appointment to Vacant City Council Seat; Including Determination of Subsequent Process or Appointment

8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



REPORT SECTION
FREMONT CITY COUNCIL
REGULAR MEETING

DECEMBER 14, 2010

***2.3 GENERAL VACATION OF A PORTION OF THORNTON AVENUE AND POST STREET IN THE CENTERVILLE PLANNING AREA (PLN2009-00258)**

Reschedule Public Hearing (Published Notice) to Consider a General Vacation to Abandon a Portion of Thornton Avenue and Post Street in the Centerville Planning Area (PLN2009-00258) and If Approved to Authorize Conveyance of the Vacated Portion of the Street to Dale Hardware

Contact Person:

Name:	Terence Wong	Jeff Schwob
Title:	Associate Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4456	510-494-4527
E-Mail:	twong@fremont.gov	jschwob@fremont.gov

Executive Summary: On November 23, 2010, the City Council adopted a motion initiating a general vacation proceeding to abandon a 5,783-square foot portion of right of way on Thornton Avenue at Post Street and set a public hearing for December 14, 2010. Staff requests that the public hearing be reset to January 11, 2011 to allow additional time to complete required publishing and posting of public hearing notices for the proposed general vacation.

ENCLOSURE: None

RECOMMENDATION: Direct the Clerk to reset public hearing to January 11, 2011 and direct staff to post and publish the notices of vacation as required by state law.

***2.4 WARREN AVENUE AND KATO ROAD GRADE SEPARATION GRANT AGREEMENTS**

Adoption of Two Resolutions Committing Funds and Authorizing the Execution of Highway-Railroad Crossing Safety Account (HRCSA) Grant Documents for the Warren Avenue and Kato Road Grade Separation Projects

Contact Person:

Name: Jim Pierson
Title: Director
Dept.: Transportation and Operations
Phone: 510-494-4722
E-Mail: jpierson@fremont.gov

Executive Summary: At its June 15, 2010 meeting, the City Council authorized the City Manager to submit grant applications for railroad grade separations at Warren Avenue and Kato Road under the Proposition 1B Highway-Railroad Crossing Safety Account (HRCSA) funding program. From the application, the City received approval from the California Transportation Commission for \$9.6 million for Warren Avenue and \$10 million for Kato Road under the HRCSA funding program. The application was submitted in conjunction with the Santa Clara County Valley Transportation Authority (VTA), which is the lead agency for the design and construction of both projects. The grant rules require the Council to adopt resolutions for both the Warren Avenue grant and the Kato Road grant committing the necessary non-grant funding and authorizing the execution of the grant agreements (“Baseline Agreement”). All of the necessary non-grant funding commitments have been made by all parties. Therefore, staff is recommending the Council adopt the two resolutions.

BACKGROUND: Proposition 1B, approved by the voters in November 2006, created a funding program to pay for highway-railroad crossing improvements that is now called the Highway-Railroad Crossing Safety Account (HRCSA) funding program. After authorization from City Council on June 15, 2010, staff submitted applications for two railroad grade separations at: 1) Warren Avenue between Warm Springs Boulevard and Kato Road; and 2) Kato Road between Warm Springs Boulevard and Milmont Drive. The City was successful, receiving grant approvals from the California Transportation Commission (CTC) for the requested amounts of \$9.6 million for Warren Avenue and \$10 million for Kato Road. The application was submitted in conjunction with VTA, which is building the BART extension to Santa Clara County adjacent to, and in conjunction with, these two grade separations. VTA is the lead agency for the design and construction of both the Kato Road Grade Separation and the Warren Avenue Grade Separation, which is part of the larger Mission-Warren Truck-Rail (MWT) project.

As part of its June 15, 2010 action, the City Council authorized the City Manager to approve any grant agreements required and any modifications to existing agreements between the City and VTA as long as it did not require the City to commit resources beyond those committed by the City in the prior agreements for the Warren Avenue and Kato Road grade separations. However, in order to receive the HRCSA grants, the rules state the City Council must adopt a resolution for each project committing the non-grant funding and authorizing the execution of the Baseline Grant Agreement with the State.

DISCUSSION/ANALYSIS: The required resolutions state that the City, as the sponsor agency, certifies that the funding sources cited in the grant application are committed and expected to be available. For Kato Road, the funding is straight forward. Other than the \$10 million HRCSA grant, the remaining funding for the \$49,685,000 project will be funded by VTA from its Measure A Sales Tax funds. As the Implementing Agency and a major funding partner, VTA will also execute the Baseline Grant Agreement with Fremont and the State. Further, the City has previously entered into a cooperative agreement with VTA committing VTA to fund all of the non-grant costs required for the Kato Road Grade Separation. The City's only financial commitment to the Kato Road Grade Separation is to provide the \$10 million HRCSA grant for the project. The Cooperative Agreement with VTA has recently been updated to include the latest project costs and VTA funding. The Council previously authorized the City Manager to execute this revised cooperative agreement when it authorized submitting the HRCSA grant application.

The Warren Avenue Grade Separation funding is more complex. First, the City is committing \$21,364,000 of Redevelopment funds to the project. This funding was previously appropriated as part of the I-880/Mission/Warren Interchange Completion. Second, VTA is committing \$4,626,000 from their Measure A sales tax funds. Third, a 10% Union Pacific Railroad (UPRR) contribution of \$5,717,000 is included. The City and VTA have previously entered into a cooperative agreement for the Warren Avenue Grade Separation Project. This agreement commits VTA to pay its share of the project funding. It also commits VTA to pay the UPRR contribution if VTA cannot secure this commitment from UPRR. The cooperative agreement with VTA for the Warren Avenue Grade Separation has recently been updated to reflect the new project costs and VTA's funding commitments. The Council previously authorized the City Manager to execute this revised cooperative agreement as long as it did not increase the City's previous commitments.

The fourth funding source for the Warren Avenue Grade Separation is \$15,861,000 of AB1462 funds. These are funds that will be generated from the sale of excess property in the historic State Route 84 corridor in Fremont and Union City. The CTC has approved the use of up to \$42.35 million of AB1462 funds for the I-880/Mission/Warren Interchange completion. However, it is unlikely that these funds will be available in time to meet the Warren Avenue Grade Separation Project construction schedule. Therefore, the City has received commitments from VTA and the Alameda County Transportation Commission (ACTC – formerly ACTIA and the CMA) to advance the necessary funding to keep the project on schedule and meet the grant requirements. A formal agreement between the parties to advance these funds will be required prior to advertisement of the project construction bids in mid-2011. The final funding source for the Warren Avenue Grade Separation is the \$9.6 million State HRCSA grant. The total project funding and total project cost is \$57,168,000.

As previously stated, the subject resolutions require the City, as the sponsor agency of each project, to certify that the funding sources cited in the grant applications are committed and expected to be available. The revised cooperative agreements with VTA and the commitment from ACTC and VTA to advance the necessary AB1462 funding for Warren Avenue provide the non-City funding commitments needed to fully fund the two projects. Therefore, staff is recommending the Council adopt the two resolutions.

FISCAL IMPACTS: The City would contribute \$21,364,000 to the Warren Avenue Grade Separation. This funding has already been appropriated by the City Council as part of the I-880/Mission/Warren

Interchange Completion and is available in PWC8074. There is no direct fiscal impact to the City for the Kato Road Grade Separation project.

ENVIRONMENTAL REVIEW: Environmental review has been completed. The City has filed Statutory Exemptions for both Grade Separation Projects.

ENCLOSURES:

- [Draft resolution - Warren Avenue Grade Separation Project](#)
- [Draft resolution - Kato Road Grade Separation Project](#)

RECOMMENDATION:

1. Adopt a resolution committing funds and authorizing the City Manager to execute the Highway-Railroad Crossing Safety Account (HRCSA) Project Baseline Agreement for the Warren Avenue Grade Separation Project.
2. Appropriate HRCSA grant funds of \$9,600,000 to 528PWC8074 for the Warren Avenue Grade Separation Project.
3. Adopt a resolution committing funds and authorizing the City Manager to execute the Highway-Railroad Crossing Safety Account (HRCSA) Project Baseline Agreement for the Kato Road Grade Separation Project.
4. Appropriate HRCSA grant funds of \$10,000,000 to 528PWC8697 for the Kato Road Grade Separation Project.

***2.5 FY 2010/11 MEDI-CAL TARGETED CASE MANAGEMENT MEMORANDA OF UNDERSTANDING WITH ALAMEDA COUNTY**
Authorization for the City Manager to Execute Two FY 2010/11 Memoranda of Understanding with Alameda County Health Care Services Agency for the Medi-Cal Targeted Case Management Program

Contact Person:

Name:	Arquimides Caldera	Suzanne Shenfil
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Executive Summary: Staff recommends the City Council authorize the City Manager to sign two Memoranda of Understanding (MOU) for fiscal year 2010/11 with Alameda County Health Care Services Agency (HCSA) to enable the City's Human Services Department to continue receiving reimbursement of costs through the Targeted Case Management (TCM) program for family case management and senior case management services provided to local Medi-Cal eligible individuals and families. The City may be reimbursed up to a maximum of \$291,177 and \$89,258 for family case management and senior case management services respectively. The exact amount the City will receive will be based upon the number of face-to-face contacts case managers have with Medi-Cal eligible individuals and families.

BACKGROUND: Targeted Case Management (TCM) is a California Department of Health Care Services (DHCS) program administered in each county by Local Government Agencies (LGAs). In Alameda County, the Alameda County Health Care Services Agency serves as the LGA for the City of Fremont. The City has participated in the TCM program since FY 2002/03. The City is reimbursed for family case management services provided by the Family Service Team at the Fremont Family Resource Center (FRC), and senior case management services provided by the Aging and Family Services Division (AFSD).

DISCUSSION/ANALYSIS: The TCM program reimburses the City for approximately 48% of the estimated costs associated with providing case management services to Medi-Cal eligible clients. The exact amount of funding the City receives is generally based on 1) a cost report completed by the City's Finance Department in cooperation with the Human Services Department; 2) the actual number of face-to-face contacts case managers have with Medi-Cal eligible individuals and families during the year; and 3) the Federal Medical Assistance Percentage (FMAP) rate. Since the cost of providing these services varies each year, new cost reports and 2 MOU (one for the FRC and one for the AFSD) must be completed for each year of the City's participation in the Targeted Case Management program.

FISCAL IMPACT: In FY 2010/11, the City is eligible to be reimbursed up to a maximum of \$291,177 and \$89,258 for family case management and senior case management services respectively. TCM revenues are an important component of the Human Services Department's strategy to become more cost-covering. This funding was anticipated and appropriated as part of the FY 2010/11 adopted budget.

ENVIRONMENTAL REVIEW: N/A

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or designee to sign two Memoranda of Understanding to enable the City to receive reimbursement for family case management and senior case management services provided to Medi-Cal eligible clients as part of the FY 2010/11 Targeted Case Management program as described in the staff report.

***2.6 FY 2010/11 MEDI-CAL ADMINISTRATIVE ACTIVITIES MEMORANDUM OF UNDERSTANDING WITH ALAMEDA COUNTY**

Authorize the City Manager to Execute a Memorandum of Understanding with the Alameda County Health Care Services Agency for Fremont Human Services FY 2010/11 Medi-Cal Administrative Activities

Contact Person:

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Executive Summary: The purpose of this report is to authorize the City Manager to sign a Memorandum of Understanding (MOU) with the Alameda County Health Care Services Agency (HCSA) to enable the City to receive reimbursement of funds through Alameda County's Medi-Cal Administrative Activities (MAA) program for eligible activities carried out by Human Services staff.

BACKGROUND: The Medi-Cal Administrative Activities (MAA) program is a Medi-Cal reimbursement program administered by the Alameda County Health Care Services Agency (HCSA). MAA is funded by Medicaid Title XIX through the federal Centers for Medicare and Medicaid Services (CMS). Funding flows through the California Department of Health Services (DHS), then through the County to the City. The MAA Program offers a way for service providers to obtain federal reimbursement for the cost of certain administrative activities necessary for the proper and efficient administration of the Medi-Cal program.

DISCUSSION/ANALYSIS: City staff analyzed the MAA regulations and determined that many of the administrative activities carried out in support of City programs, such as Family Case Management, Youth and Family Counseling, the Afghan Health Promoter Project and the Multipurpose Senior Services Program (MSSP), among others, are eligible for reimbursement under MAA.

Claiming Plans: In order to receive reimbursement, City staff completed four claiming plans that describe the Medi-Cal Administrative Activities to be carried out, the staff for whom claiming will be done, and the methodology for determining costs. The Afghan Elderly Association, the City's partner in the Health Promoter Project, was included in one of these plans. Depending on the qualifications of the staff carrying out eligible administrative activities, MAA reimburses eligible agencies either 50% or 75% of the cost of performing the activity. DHS has approved the City's current claiming plans. Eligible MAA activities include the following:

1. Outreach to Medi-Cal eligible people for the purpose of bringing them into Medi-Cal services, as well as potentially eligible Medi-Cal clients for the purpose of determining their Medi-Cal eligibility.
2. Facilitating the completion of Medi-Cal applications.
3. Non-emergency, non-medical transportation of Medi-Cal eligible individuals to Medi-Cal covered services.

4. Administering contracts for Medi-Cal services and administrative activities.
5. Program planning and policy development with the goal of increasing the Medi-Cal system's capacity.

Time Survey and Reimbursement: Human Services and AEA staff must complete time surveys to determine the percentage of staff time spent on reimbursable administrative activities during FY 2010/11. Once FY 2010/11 closes, HCSA and City staff will use the time surveys and actual FY 2010/11 expenses to calculate the reimbursement for time spent on eligible administrative activities during the fiscal year. HCSA will then submit the request for reimbursement to DHS. Staff expects a response to the reimbursement request in December 2011.

FISCAL IMPACT: Based on the most recently completed MAA reimbursement cycle, staff anticipates receiving approximately \$170,000 in reimbursement for eligible activities. MAA revenues are an important component of the Human Services Department's strategy to identify outside revenue sources to sustain safety net services and support administrative overhead costs associated with these services. This funding was anticipated and appropriated as part of the FY 2010/11 adopted budget.

ENVIRONMENTAL REVIEW: N/A

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or his designee to execute a Memorandum of Understanding with the Alameda County Health Care Services Agency to enable the City's Human Services Department to receive FY 2010/11 reimbursement of funds through Alameda County's Medi-Cal Administrative Activities Program, as described in the staff report.

***2.7 APPROVAL OF FINAL MAP TRACT 8040 AT 2400 AND 2450 DURHAM ROAD BY SOLSTICE HOMES, LLC**

Approval of Final Map, Improvement Agreements for Construction of Public Street (Durham Road) and Private Streets (Cassatt Common, Monet Terrace, Renoir Terrace, and Degas Terrace), and Dedication of Land and Public Easements for Tract 8040

Contact Person:

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Executive Summary: The purpose of this report is to recommend that the City Council approve Final Map 8040, authorize the City Manager to execute agreements for construction of a public street and private streets for Tract 8040, and accept the dedications of a public street and easements subject to improvement.

DISCUSSION/ANALYSIS: Tract 8040 is located on the south side of Durham Road between Arapaho Avenue and the I-680 northbound off-ramp. This project encompasses 3.83 acres and includes 48 single-family lots. The project is generally in conformance with Vesting Tentative Tract Map 8040 (PLN2010-00161), previously approved by the City Council on May 4, 2010. The developer has created Covenants, Conditions, and Restrictions (CC&R's) for Tract 8040 that are consistent with and implement all of the provisions of the Vesting Tentative Map.

The developer has signed agreements and posted bonds to guarantee construction of the public street (Durham Road) improvements. Public improvements include installing sidewalk, curb, and gutter; planting street trees; grinding and overlaying portions of existing pavement; and other miscellaneous items of work. The completion date for the required street improvements is two years from the date the City executes the agreement. The bond amount for construction of the public improvements is \$327,000 for the faithful performance of the agreement and \$327,000 for payment of labor and materials, based on preliminary cost estimates.

The developer has signed agreements and posted bonds to guarantee construction of the private vehicle access way (Cassatt Common, Monet Terrace, Renoir Terrace, and Degas Terrace) improvements. The bond amount for construction of the private streets is \$2,842,000 for faithful performance of the agreement and \$2,842,000 for payment of labor and materials, based on preliminary cost estimates. The final map and improvement plans have been reviewed and are now ready for City Council approval.

As part of the Planned District, the developer is required to contribute up to fifty percent (50%) of the City estimated cost of \$64,000 to modify the existing signalized intersection of Durham Road/I-680 Northbound Off-ramp with the installation of an east side pedestrian crossing facility across Durham Road. A check provided by the developer in the amount of \$32,000 has been deposited in Fund 502. Staff recommends this amount be appropriated to a new public works project titled Durham Road/I-680

Pedestrian Improvement Project PWC 8743. The remaining \$32,000 estimated cost will be paid for by another developer in the future, when the other corner of the intersection is constructed.

Landscape Maintenance Agreements: The project includes installation of landscaping within Caltrans right-of-way between the sidewalk and the sound wall. As a condition of the Caltrans encroachment permit, Caltrans is requiring the City to enter into an agreement for landscape maintenance. The agreement is similar to an existing agreement between Caltrans and the City for pavement maintenance on Durham Road over I-680. The Planned District requires the Homeowners Association to maintain the back up landscaping and sound wall. Therefore, staff recommended and the developer agreed to enter into an agreement to maintain the landscaping within the Caltrans right-of-way. Staff recommends that the City Council authorize the City Manager to execute separate maintenance agreements with Caltrans and with the developer.

FISCAL IMPACT: There is no impact to the City. All improvements will be paid for by the developers.

ENVIRONMENTAL REVIEW: The City Council adopted a mitigated negative declaration and mitigation monitoring program for the Planned District, tentative map and a preliminary grading plan on May 4, 2010. The mitigated negative declaration includes mitigation measures that would reduce the identified impacts to less than significant levels. The Final Map and improvement plans are consistent with the original project description, scope of work, and identified mitigations of the adopted mitigated negative declaration. No further environmental review is required.

ENCLOSURE:

- [Draft resolution](#)
- [Site Plan](#)

RECOMMENDATION: Adopt a resolution:

1. Approving the final map and the improvement plans for Tract 8040.
2. Approving the Agreement for Public Street Improvements entitled “Improvement Agreement Public Street Improvements Tract 8040”, with the developer, Solstice Homes, LLC, and authorizing the City Manager to execute the agreement on behalf of the City.
3. Approving the Agreement for Private Street Improvements entitled “Improvement Agreement Private Street Improvements Tract 8040”, with the developer, Solstice Homes, LLC, and authorizing the City Manager to execute the agreement on behalf of the City.
4. Accepting the developer’s offer of dedication of land, as identified on the final map, provided that the acceptance of the offer of dedication for any public streets shall be conditioned upon the developer’s completion of improvements to the satisfaction of the City Engineer.
5. Accepting and appropriating the developer’s payment of \$32,000, the developer’s contribution to modify the existing signalized intersection of Durham Road and I-680 Northbound Off-ramp, to project 502PWC8743.
6. Authorizing the City Manager or his designee to execute separate maintenance agreements with California Department of Transportation and with the developer as described herein.

***2.8 WASHINGTON BOULEVARD/PASEO PADRE PARKWAY GRADE SEPARATION PROJECT – PROJECT MANAGEMENT AGREEMENT AMENDMENT**

Approval of an Eighth Amendment to the Professional Services Agreement with Abtahi Engineering Management Consultants for \$50,000 for On-Call Project Management Services for the Washington Boulevard/Paseo Padre Parkway Grade Separation Project PWC 8156

Contact Person:

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Executive Summary: The purpose of this report is to request that the City Council authorize the City Manager or his designee to approve an amendment to the Professional Services Agreement with Abtahi Engineering Management Consultants for on-call project management services to complete remaining closeout activities for the Washington Boulevard/Paseo Padre Parkway Grade Separation Project. The contract amendment will provide for Mr. Abtahi to continue providing project management services on an on-call basis allowing him to complete most of the remaining Grade Separation closeout activities, which could continue through May 2011. The amount of the contract amendment is not to exceed \$50,000 and will be utilized on an as-needed basis when close-out tasks are required.

BACKGROUND: The City entered into a professional services agreement with Abtahi Engineering Management Consultants in January 2004 to provide project management services for the grade separation project. The City Council subsequently amended this agreement seven times for a not to exceed contract total of \$1,948,800 to provide project management services through November 2010.

DISCUSSION/ANALYSIS: The Washington Boulevard/Paseo Padre Parkway Grade Separation Project is now essentially complete. The contractor is now working on two final items of work and the contract will then be closed. All claims have been settled. The contractor is expected to complete these items by the end of December 2010 or early January 2011.

In addition to these activities, the City still requires Mr. Abtahi's services for several remaining complex closeout tasks. For example, Mr. Abtahi will continue to assist with the completion of the final right-of-way exchanges between the City and Union Pacific Railroad, as well as those between the City and BART. He will oversee the closeout of several remaining agreements with utility companies and other public entities and the closure of remaining environmental permits. Mr. Abtahi will also assist with the final archiving of all the project records and setting up processes for the ongoing City maintenance of the project. As the remaining activities are sporadic and subject to the prior activities of other entities, Mr. Abtahi will be providing his remaining project management services on an on-call basis, working primarily from his own office and only when a task is ready to be completed. During this time, he will be available to assist with the ongoing coordination with other City projects that must interface with the Grade Separation Project, such as the Main Street Village Project, the Warm Springs BART extension, and the SFPUC Pipeline Replacement Project. Mr. Abtahi has agreed to complete this work at his

existing rate of \$145 per hour. A \$50,000 contract amendment is anticipated to be needed to provide this level of services.

FISCAL IMPACTS: Mr. Abtahi's current agreement, including all overhead expenses, calls for an hourly rate of \$145 per hour. Mr. Abtahi has agreed to continue this rate through the completion of the project closeout. Funding for this amendment is available in the project budget. The project is currently projected to be completed more than \$4 million under budget.

ENVIRONMENTAL REVIEW: Not applicable

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or his designee to execute Amendment Number Eight to the Service Agreement for Grade Separation Project Management Services with Abtahi Engineering Management Consultants in an amount not to exceed \$50,000.

***2.9 AGREEMENT FOR SENIOR CENTER FOOD SERVICES AND DELIVERY**
Approval of Senior Center Food Services and Delivery Agreement with Sysco
San Francisco, Inc.

Contact Person:

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Executive Summary: Sysco San Francisco, Inc. (Sysco), has provided food services and delivery to the Fremont Senior Center for many years and submitted the most responsive proposal to a recent Request for Proposals (RFP) for these same services. Staff is recommending that the City Council authorize the City Manager or designee to execute a one year agreement with Sysco San Francisco, Inc., for food service and delivery for the Fremont Senior Center, in an amount not to exceed \$115,000. Staff also requests Council authorize the City Manager or his designee to extend the agreement for one additional year, subject to satisfactory performance, for a total contract amount of \$230,000.

BACKGROUND: The Fremont Senior Center is one of the few senior centers in Alameda County that cooks hot nutritious lunches on site for seniors five days a week. Sysco has provided food services and delivery to the Senior Center kitchen for many years. Last fiscal year, the City released a request for proposals (RFP) for these same services and received proposals from U.S. Foods and Sysco.

DISCUSSION/ANALYSIS: After reviewing and evaluating the two proposals, staff selected Sysco's proposal as the most responsive to the requirements of the RFP. Sysco also qualifies as a local Fremont business.

Under the proposed agreement, Sysco will provide food services and delivery necessary for the Senior Center to provide meals no less than five days a week, Monday through Friday. The agreement covers approximately 700 products, including dairy, meats, seafood, poultry, frozen food, dry goods, produce, beverages, and other kitchen supplies and equipment. The agreement also includes the provision that in the case of a disaster, Sysco would serve as an emergency consultant and give the City priority to purchase and receive products up to 7 days per week. The agreement does not prohibit the City from purchasing specialty food items from an alternative vendor should the need arise.

Staff is recommending that the City Council authorize the City Manager or his designee to enter into a one year agreement (January 1, 2011- December 31, 2011), with an option to extend for one additional year (subject to satisfactory performance) with Sysco for food service and delivery at the Fremont Senior Center, in an amount not to exceed \$115,000 each year.

FISCAL IMPACT: In anticipation of these food service costs, the City Council appropriated sufficient funds in the FY 2010/11 adopted budget to cover this contract through June 30, 2011. Staff anticipates recommending the City Council appropriate funds to cover the remainder of the agreement term as part of the City's FY 2011/12 adopted budget.

ENVIRONMENTAL REVIEW: N/A

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or designee to: 1) execute an agreement with Sysco San Francisco, Inc., for food service and delivery at the Fremont Senior Center, in an amount not to exceed \$115,000; 2) authorize the City Manager or designee to extend the contract for an additional year in an amount not to exceed \$115,000, subject to satisfactory performance, and adoption of the FY 2011/12 budget, for a total contact amount of \$230,000.

***2.10 TIMING OF COLLECTION OF AFFORDABLE HOUSING IMPACT FEES AND IN-LIEU FEES - CITYWIDE**

Adopt a Resolution to Allow Collection of Affordable Housing Impact Fees and Affordable Housing In-Lieu Fees After Building Permit Issuance but Prior to Any Occupancy and to Establish that the Fee Amount to be Paid is the Amount in Effect at the Time of Building Permit Issuance

Contact Person:

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Executive Summary: In 2009, in response to the economic downturn, Council approved an ordinance allowing developers to defer payment of impact fees up to eighteen months after building permit issuance. Staff recommends adoption of a resolution allowing collection of affordable housing impact and in-lieu fees after building permit issuance and to establish that the fee amount to be paid is the amount in effect at the time of building permit issuance. The recently approved Affordable Housing ordinance allows council to adopt a resolution to modify the time when developers are required to pay affordable housing in-lieu fees and affordable housing impact fees.

BACKGROUND: On June 15, 2010, the City Council adopted Ordinance No. 13-2010, to amend the City's Affordable Housing Ordinance. The revisions to the Affordable Housing Ordinance allow developers of for sale residential projects to meet affordable housing requirements by paying affordable housing in-lieu fees for each market-rate unit and requires such fees to be paid at the time of building permit issuance and at the rate in effect at the time of payment [Fremont Municipal Code ("FMC") Section 8-22177(f)(2)]. The revisions to the Affordable Housing Ordinance also established an affordable housing impact fee to be paid by developers of certain residential rental projects also to be paid at the time of building permit issuance for each living unit [FMC Section 8-22174(b)]. The revisions to the Affordable Housing Ordinance further provide that the City Council may adopt a resolution to modify both the time when developers are required to pay affordable housing in-lieu fees or required affordable housing impact fees and the rate schedule on which the payment is calculated [FMC Sections 8-22174(b), 8-22177(f)(2)].

The City's 2009 local business stimulus package included both targeted fee relief and an impact fee deferral program. On June 23, 2009, the City Council adopted Ordinance No. 13-2009, to amend the Impact Fee Ordinance to allow developers to apply, and upon approval by the Director of the Community Development Department and execution of an impact fee agreement, to pay development impact fees after permit issuance, but before final inspection, issuance of a certificate of occupancy or the expiration of eighteen months from the date of permit issuance, whichever occurs first. Such deferred development impact fees are paid at the rate in effect upon permit issuance. This program has been successfully implemented. Adoption of this resolution would extend the fee deferral program to affordable housing impact and in-lieu fees and permit developers to defer payment of these fees up to eighteen months after building permit issuance.

DISCUSSION/ANALYSIS: Staff requests that Council adopt a resolution in accordance with Fremont Municipal Code (FMC) Sections 8-22174(b) (for certain rental projects) and 8-22177(f) (2) (for sale projects) to: (1) allow collection of affordable housing in-lieu and affordable housing impact fees after building permit issuance, but prior to the date of the final inspection, certificate of occupancy, or for a period of eighteen months after the date of permit issuance, whichever occurs first; and (2) to establish that the fee amount to be paid is the amount in effect at the time of building permit issuance. These changes will assist developers as affordable housing in-lieu fees and impact fees can be paid at a later date, rather than as an upfront cost associated with permit issuance (often financed by the developer at high cost—threatening project feasibility) and the amount of the fee will be certain (the amount in effect at the time of building permit issuance rather than the amount in effect at the time of payment).

The proposed resolution will establish a program similar to the existing program for development impact fees with which staff and developers are familiar. As with the existing impact fee deferral program, developers will be required to submit an application and to execute an agreement regarding payment of the deferred fees.

FISCAL IMPACT:

Fiscal Impact on Development Services: Allowing the deferral of affordable housing impact and in-lieu fees will continue to result in additional staff costs, some of which would be billable as part of certain projects being reviewed. Staff spends time reviewing developer applications to defer payment; evaluating the developer's credit-worthiness; preparing and periodically revising the deferral agreement; personalizing and reviewing specific fee agreements; determining pro-rata payment amounts for qualifying projects; verifying recordation of agreements; and recording releases of agreements upon payment. These staff costs are offset to the extent that deferring fees spurs development that, in turn, contributes to development review fees, as well as brings in new residents to the community and further bolstering the local tax base.

Fiscal Impact on Capital Improvements: The City relies upon collection of impact fees to fund affordable housing initiatives, plans for which are based upon expected contributions to the fund from development projects. Development activity has been reduced over the past few years, which has correspondingly reduced available monies for these projects. Through this and other actions, the City has acted to increase overall development activity that, while funds may be temporarily delayed, would result in more funds received by the City and, as a result, a healthier local economy in the near term.

This resolution allowing delayed collection of affordable housing impact and in-lieu fees is expected to improve development prospects as the economy improves by reducing financing costs at the beginning of construction work to make projects more economically feasible.

ENVIRONMENTAL REVIEW: This action is exempt from the California Environmental Quality Act per CEQA Guidelines 15061(b)(3) and 15273, Rate Restructuring or Modification.

ENCLOSURE: [Draft Resolution](#)

RECOMMENDATION: Adopt a resolution in accordance with Sections 8-22174(b) and 8-22177(f)(2) of the Fremont Municipal Code to allow collection of affordable housing impact and in-lieu fees after building permit issuance, but prior to the date of the final inspection, certificate of occupancy, or

for a period of eighteen months after the date of permit issuance, whichever occurs first; and to establish that the fee amount to be paid is the amount in effect at the time of building permit issuance.

***2.11 DEVELOPMENT IMPACT FEE ANNUAL REPORT FOR FISCAL YEAR 2009/10**
Consideration of the Development Impact Fee Annual Report for Fiscal Year 2009/10 and Findings Required by the Mitigation Fee Act

Contact Person:

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Executive Summary: The California Government Code establishes an annual reporting requirement for the collection and use of development impact fees. Staff recommends that the City Council approve Fremont's Development Impact Fee Annual Report for Fiscal Year 2009/10 ("Annual Report") and make findings required by the Mitigation Fee Act by resolution. Staff is also providing a brief update on the local economic stimulus measures established earlier in the year by Council.

BACKGROUND: The Mitigation Fee Act (California Government Code Sections 66000, et seq.) establishes requirements for annual reporting of receipt and expenditure of development impact fees. The annual report must include the following:

1. A brief description of the type of fee in the account;
2. The amount of the fee;
3. The beginning and ending balance of the account for the fiscal year;
4. The amount of fees collected;
5. The interest earned;
6. Identification of each public improvement for which fees from the account were expended, the amount of expenditures on each improvement and an identification of the percentage of the cost of the improvement that is being funded with impact fees;
7. Identification of an approximate date by which construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete;
8. Description of each inter-fund transfer or loan made from the account, including the public improvement for which the transferred or loaned fees will be expended;
9. Findings, if fees remain unexpended five years after collected; and
10. The amount of any refunds made pursuant to statute.

The overview and body of the Annual Report addresses these reporting requirements. As noted in the overview section of the report, it is not possible to precisely identify the anticipated date of construction of public improvements (requirement seven). Fremont does not collect development impact fees for specific projects, but rather collects fees through build-out for a number of identified projects. However, the City's Capital Improvement Program identifies the approximate dates of commencement of construction.

With respect to requirement nine, findings are required this year. Government Code Section 66001(d) requires findings with respect to unexpended impact fees every five years following the first deposit into the fee account. Generally, the findings reference the adopting resolution and January 2008 technical report for each fee and the City's Five-Year (2009-2014) Capital Improvement Plan (CIP) adopted by the City Council on June 9, 2009. This plan provides detail regarding the sources, amounts, and approximate dates of funding anticipated to complete financing of future park dedication in lieu fee, park facilities fee, traffic impact fee, fire facilities fee, and capital facilities fee projects. The City of Fremont's practice is not to earmark the development impact fees it collects from any specific development for any specific project, but rather to apply the fees toward the completion of a multi-project capital improvement program with various timelines.

DISCUSSION/ANALYSIS: Update on Local Stimulus Measures - In recognition of the nationwide recession, the City Council approved multiple measures within the past year designed to stimulate the local economy and ease the burden of impact fees upon the development community. Temporary fee reductions were approved by the City Council on April 7, 2009, and are scheduled to remain in place until December 31, 2011. Project impact fees have been reduced by 10% citywide, and by 25% within the Central Business District (CBD). On November 23, 2010, the City Council approved a reduction of impact fees by 50% in the Midtown District/CBD Focus Area. On July 7, 2009, the City Council also established a program to allow impact fees for all types of development projects to be collected after building permit issuance but prior to occupancy (up to eighteen months after permit issuance).

Since the introduction of these measures through November 1, 2010, 137 permits have been issued where a deferral agreement has been used, resulting in the total deferral of \$7,606,580 in impact fees. Of that amount, \$2,602,495 in impact fees have since been paid as projects reached final inspection. The current balance of fees held in deferral is \$5,004,085. The deferrals have resulted in a loss of interest earnings to their respective capital funds; however, the exact amount is not known. Since the implementation of the local stimulus measures in spring of 2009, interest rates have plummeted and earnings may have been negligible. Staff will return to Council with further analysis of the stimulus programs as they mature and as trends can be more easily discerned.

FISCAL IMPACT: The Impact Fee Annual Report is an informational report, so there is no fiscal impact. The fiscal impacts of the fee reduction and deferral programs are not known at this time.

Public Notice: Staff mailed notice of the City Council's review of the Development Impact Fee Annual Report and its availability to the public on December 1, 2010, to interested parties. Copies of the Annual Report were also made available to the public in the City Clerk's Office on December 1, 2010, and public notices were published on December 1 and December 8, 2010.

ENCLOSURES:

- [Draft Resolution](#)
- [Development Impact Fee Annual Report for Fiscal Year 2009/2010](#)

RECOMMENDATION: Adopt a resolution to approve the Development Impact Fee Annual Report for Fiscal Year 2009/10, and to make the findings required by the Mitigation Fee Act, as follows:

1. The purpose of the park dedication in lieu fees is for all new residential development to pay for

- new development's share of the cost of acquiring land for parks in Fremont.
2. The purpose of the park facilities fees is to fund new development's share of the development of new recreational facilities in Fremont.
 3. The purpose of the traffic impact fees is to fund new development's share of the development of new traffic improvements in Fremont.
 4. The purpose of the fire facilities fees is to fund new development's share of the development of new fire facilities in Fremont.
 5. The purpose of the capital facilities fees is to fund new development's share of the development of new capital facilities in Fremont.
 6. The reasonable relationship between the park dedication in lieu fee, park facility fee, traffic impact fee, fire facilities fee, and capital facilities fee and the purpose for which they are charged is demonstrated in the *Park Dedication in Lieu Fees and Park Facilities Fee Technical Report*, *Traffic Impact Fee Technical Report*, *Fire Facilities Technical Report*, and *Capital Facilities Fee Technical Report*, each dated January 2008, and the City Council resolution adopting the fees and the staff report supporting the resolution, all of which are incorporated by reference.
 7. The sources and amounts of funding anticipated to complete financing of future park dedication in lieu fee, park facility fee, traffic impact fee, fire facilities fee, and capital facilities fee projects are identified in the *Five-Year (2009-2014) Capital Improvement Program (CIP)*, adopted by the Fremont City Council on June 9, 2009.
 8. Approximate dates of funding for park dedication in lieu fee, park facilities fee, traffic impact fee, fire facilities fee, and capital facilities fee projects are identified in the *Five-Year (2009-2014) Capital Improvement Program (CIP)*, adopted by the Fremont City Council on June 9, 2009.

***2.12 AMENDMENT TO PMC WORLD CONTRACT**

Authorize the City Manager to Execute an Amendment Increasing the Current Contract with PMC World by \$131,001 to a Total of \$321,000 for Project Management Services Related to the Former NUMMI Property and Surrounding Areas

Contact Person:

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Executive Summary: The City, in conjunction with its project management consultant, PMC World, has commenced work on a series of studies related to the South Fremont/Warm Springs area, which includes the former NUMMI facility and lands surrounding the planned Warm Springs BART Station. These studies are funded through a Federal Economic Development Administration grant (EDA), and focus on market/economic analyses, land use alternatives, infrastructure and cost analyses, and a financial assessment. The studies will help guide the City in future planning efforts for the area and are anticipated to be completed by summer 2010. This report requests authorization to increase PMC World's contract by \$131,001 to complete the studies.

BACKGROUND: Planning and project management assistance has been obtained through PMC World, a national firm which offers expertise in municipal planning, project management, and other technical services. The current contract for \$189,999 is due to expire after December 31, 2010, and additional funds are necessary to carry forward the ongoing work in managing the South Fremont/Warm Springs Area Studies. Staff is seeking City Council approval to increase the contract by \$131,001 to provide extended project management services through the 2011 calendar year. If authorized, the new contract total will be \$321,000.

DISCUSSION/ANALYSIS: The EDA grant is underway with four main study components: 1) Economic and Market Analysis Strategic Plan; 2) Land Use Alternatives Study; 3) Infrastructure and Cost Analysis; and 4) Financial Assessment. The first two phases are underway and the last two will begin in January and be completed by summer.

The EDA studies require significant effort to be integrated with the potential creation of a new redevelopment project area in this region and the General Plan update process. PMC World's continued involvement in these efforts will help ensure that all of these efforts are coordinated and complement each other.

PMC World serves as the primary contact with the consultant teams and provides overall project management by coordinating with city departments and ensuring thorough review & information sharing. To date, PMC World has completed the following activities:

- Assisted with the successful EDA grant application, consultant selection process and contract negotiation, and ongoing EDA contract administration;

- Provided input and support to City staff and consultants on the possible creation of a Redevelopment Project Area focusing on lands around the former NUMMI site;
- Prepared and helped administer a Community Preferences Survey;
- Provided input to City staff on the General Plan Update and related actions focusing on the Warm Springs BART Station area, including policy matters;
- Provided responses to community residents, agencies, real estate agents/brokers and other requests for information related to the NUMMI facility;
- And coordinated three community workshops and assisted with preparation for Council presentations.

FISCAL IMPACT: A contract amendment of \$131,001, bringing total authorized expenditures to \$321,000, is expected to be sufficient for the work described above. Council is asked to increase the \$131,001 appropriation funding from Capital Improvement Fund 501 unallocated fund balance to cover this increase.

ENVIRONMENTAL REVIEW: N/A

ENCLOSURE: None

RECOMMENDATION: 1) Authorize the City Manager or his designee to increase the contract with PMC World by \$131,001, to a total of \$321,000 for project management services related to the former NUMMI property and surrounding areas. 2) Appropriate \$131,001 from unallocated Capital Improvement fund 501 balance to 501PWC8735.

***2.13 ACCEPTANCE OF A GIFT OF A 1.29 ACRE PARCEL OF LAND ON MISSION PEAK**
Acceptance of a 1.29 Acre Parcel of Land Surrounded by City and East Bay Regional Park
District Property on Mission Peak Subject to Approval of Documents by the City Attorney

Contact Person:

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Executive Summary: The owners of an approximately 1.29 acre parcel of land on the face of Mission Peak have contacted City staff several times since the 1998 landslide about the potential for the City buying their parcel. More recently the owners have offered to gift the parcel to the City at no expense. Staff recommends that the City Council accept the offer subject to (1) transfer being at no cost to the City and that (2) all transfer documents be approved by the City Attorney.

DISCUSSION/ANALYSIS: John Valentine, Jorge Montane and Michael Ricupito are joint owners of a 1.29 acre parcel of land on Mission Peak, bounded by City owned property and property owned by East Bay Regional Park District. The parcel was most likely one of the ranch parcels high on Mission Peak that pre-dated public ownership. Owners seek to gift the parcel to the City.

FISCAL IMPACT: None

ENVIRONMENTAL REVIEW: Categorical Exemption, CEQA Guidelines Section 15325 (Transfers of Ownership of Interest in Land to Preserve Existing Conditions), Subsection (f) (Acquisition, sale, or other transfer to preserve open space...) Acceptance of this gift will remove a 1.29 acre landlocked parcel from private ownership on the face of Mission Peak.

ENCLOSURE: [Map](#)

RECOMMENDATION: Accept the offer subject to approval of all documents by the City Attorney. Authorize the City Manager to execute all implementing documents.

6.1 Report Out from Closed Session of Any Final Action

7.1 ENVIRONMENTAL EDUCATION CENTER

Recommend the Transfer and Appropriation of \$300,000 for Construction of a Modular Environmental Education Center in Central Park

Contact Person:

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Executive Summary: The City's National Pollutant Discharge Elimination Permit (NPDES or stormwater permit) requires the City to conduct water quality education and outreach activities. To help the City comply with these requirements, Environmental Services and Recreation Services collaborated to develop the free Clean Water Education Program (also known as Stivers Lagoon Field Trips), which has educated over 10,000 students, teacher and parents since its inception in FY 2003/04. The classroom portion of the field trip currently takes place in a temporary trailer that is also utilized by Recreation Services, during the summer, to conduct revenue generating camp programs. According to the Building Code, the temporary trailer cannot be utilized for long term use without significant upgrades, and the cost of retrofitting and upgrading the existing trailer exceeds the cost of installing a new modular building. Staff is therefore recommending the City Council appropriate \$300,000 to construct a new permanent modular building at the existing Central Park site. The Recreation Services Operation Improvement Reserve (Fund 189) would provide \$225,000 of the needed funding, with the remaining \$75,000 coming from the Urban Runoff Fund Balance (Fund 123).

BACKGROUND: The Clean Water Education program consists of free two-hour hands-on learning field trips at Stivers Lagoon for public, private and home schools with a focus on third-grade students. The student activities include creek surveys, water quality sampling, aquatic insect inventories, and plant identification of native and non-native species. One half of the field trip is conducted outdoors and the other half is conducted inside a classroom. Initially, the classroom portion of the program was housed in the vacant swim lagoon snack shack and was later relocated to a temporary trailer while the Aqua Adventure Waterpark was under construction.

The program was scheduled to eventually be housed in the multi-purpose room within the Waterpark; however, staff has subsequently determined that this option is not the best alternative for conducting the program. Classroom equipment and multiple displays would need to be set up and removed for each field trip, which significantly increases program staff costs and reduces the efficiency of program delivery. The multi-purpose room is now not large enough to comfortably accommodate recently increased class sizes, and the expanded season of the Waterpark creates scheduling challenges since the Waterpark season and Clean Water Education program schedule now overlap. Building a separate modular classroom space is a better alternative that addresses the logistical concerns of sharing a multi-purpose room and provides the benefit of additional classroom space to house revenue generating programs such as Ask A Ranger, Junior Ranger and other Summer Camp programs that are conducted by Recreation Services during school breaks.

DISCUSSION/ANALYSIS: Staff estimates the purchase and installation of a modular building along with necessary site improvements to be approximately \$300,000. The new structure would consist of a foundation, permanent power source, underground conduit, fire sprinklers and alarm, fire hydrant, durable skirt and siding, landscaping, new fencing, and walkway improvements to meet ADA requirements. Staff is recommending locating the new modular building at the existing trailer site between gates C and D on the north east side of the Waterpark. The site is logistically desirable because it is close to Stivers Lagoon, where the outside portion of the field trip is conducted. The close proximity to existing bathrooms eliminates the need for installing a sewer line and bathrooms within the classroom structure, thereby significantly lowering project construction costs. Its location behind a chain link fence also deters vandalism. The estimated timeline for the classroom construction is late spring 2011, with construction completed by late summer 2011. The Recreation Commission considered this item at its meeting on December 1, 2010 and voted 5 to 0 to recommend that the City Council approve staff's recommendation.

FISCAL IMPACT: Staff is recommending the \$300,000 project be funded with a Recreation Services Operation Improvement Reserve Fund Balance contribution of \$225,000, and the remaining \$75,000 coming from the Unallocated Urban Runoff Fund fund balance.

The Recreation Cost Center Operating Improvement Reserve fund can be utilized for capital improvements and start up costs for entrepreneurial program opportunities that have the potential to generate revenues to cover expenditures within a three-year period. All of the recreation programs currently scheduled in the existing classroom generate revenue that covers all expenses.

The Unallocated Urban Runoff Clean Water fund balance policy states that funds will be used to support a multi-year focused watershed management program to enhance the Regional Water Quality Board's stormwater quality standards. Program components may include erosion control, community education, and stormwater management techniques to improve the quality of water through the watershed. The Clean Water Education program qualifies because it is part of the community education component.

The Recreation Services Fund contribution would be accomplished by the transfer of \$225,000 to 501 Capital Improvement Fund PWC 8744 to fund the multi-purpose classroom. Because the classroom will be used for revenue generating programs, the project meets the requirements needed to use Recreation Fund Improvement Reserve Balance. The Urban Runoff Funds may also be used since the classroom is being used for community education. This project will not impact the General Fund.

ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act per Guideline 15302, Reconstruction of Existing Facilities. The proposed project replaces an existing nature learning center temporary building with a new permanent facility of substantially the same capacity and purpose. The building will be located within the same site in Central Park as the existing trailer, between the end of the parking lot and existing restroom facility. Ancillary site improvements in the project area include walkway connections, benches, extension of chain link fencing, and landscaping. The nature center project area is outside of the Alquist-Priolo Earthquake Fault Zone. Access to the one acre project area is already in place to serve the project.

ENCLOSURE: [Site plan](#)

RECOMMENDATION:

1. Support the construction of a Modular Environmental Education Center in Central Park, at the existing trailer site between gates C and D on the northeast side of the old Swim Lagoon site, (site plan).
2. Approve the transfer \$225,000 from the Recreation Services Operation Improvement Fund 189 to Fund 501 Capital Improvement and appropriate the \$225,000 to 501PWC8744 to complete this project.
3. Appropriate \$75,000 from Urban Runoff Clean Water Fund Balance (Fund 123) to 123PWC 8744 for the construction of a Modular Environmental Education Center in Central Park.

7.2 UPDATE ON SOUTH FREMONT/WARM SPRINGS AREA STUDIES

Receive Update on South Fremont/Warm Springs Area Studies

Contact Person:

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Executive Summary: The City continues work on a series of studies related to the South Fremont/Warm Springs area, which includes the former NUMMI facility and lands surrounding the planned Warm Springs BART Station. These studies are funded through a federal Economic Development Administration grant, and focus on market/economic analyses, land use alternatives, infrastructure and cost analyses, and a financial assessment. Tonight's discussion will focus on consultant team preparation of three land use concepts for the study area.

BACKGROUND: The City's Economic Development Administration (EDA) grant funds are being used to complete four main study components: 1) Economic and Market Analysis Strategic Plan; 2) Land Use Alternatives Study; 3) Infrastructure and Cost Analysis; and 4) Financial Assessment. These studies will help guide the City in future planning efforts for the area, leading to the anticipated preparation of a Community Plan for the area, commencing in summer 2011.

DISCUSSION/ANALYSIS: The research and outreach components of the Economic and Market Analysis Strategic Plan have been substantially completed for the study area. Additionally, opportunities and constraints analyses (e.g., infrastructure, roadways, land use) for the study area are nearing completion, providing the foundation for tonight's land use concepts discussion. Public outreach efforts have been well received and, in addition to these monthly Council updates and the community survey completed in spring 2010, include a series of public workshops. To date, three community workshops have been held, including: 1) an October 4, 2010 workshop sought initial community input on specific issues related to the reuse and revitalization of the project area, with feedback obtained on issues related to land use and economic development; 2) as part of the General Plan Update workshop, a November 6, 2010 workshop sought input on the community's vision and concerns about the area to help frame the land use alternatives analysis; and 3) a December 6, 2010 workshop was held, at which approaches to three land use concepts were presented and public input received.

Tonight's discussion is intended to include the following:

1. Continuation of discussions with Council regarding the three land use concepts for the study area. The concepts are based on the results of the consultant team's work (research, baseline analysis, stakeholder interviews, community workshops, opportunities and constraints analysis, Expert Panel) combined with that of the planning and land use team to develop the three concepts. The concepts are generally intended to address minor, moderate and potentially higher levels of intensity of uses, and include a focus on opportunity sites in the study area.

The consultant team will present modifications to land use sketches presented to Council at the November 16, 2010 meeting. The updated approaches reflect refinement of the land use approaches based on continuing work between the consultant team and City staff, ongoing research, as well as continued public input. Among the key issues to be presented for discussion at the December 14 meeting will be the following:

- Overview of the three underlying land use themes for each of the three land use concepts.
- Consideration of land use types, locations and relative densities/intensities of use within each of the three land use concepts.
- Consideration of land use constraints and opportunities that may affect each of the three land use alternatives. This will include discussion of land use compatibility associated with each of the alternatives, and how presence of potentially hazardous materials and conditions associated with certain industrial and R&D uses may affect land planning for potential residential and related uses.

Input from Council at the December 14 meeting will be used by the consultant team in completing the Draft Land Use Study.

2. Next steps, including an anticipated Council meeting in January 2011 to discuss the Draft Land Use Study.

FISCAL IMPACT: EDA's grant of \$333,000 is anticipated to cover the costs for consultants to prepare the NUMMI-related studies. The City's required match of \$83,250 is being met entirely through the use of City staff time incurred in processing the grant and oversight of the related technical studies, and has been funded with an appropriation from the 501 Capital Improvement fund's fund balance to 501PWC8735, NUMMI Site Reuse & Revitalization Project.

ENVIRONMENTAL REVIEW: There is no project or other action related to this staff report that triggers provisions of the California Environmental Quality Act (CEQA). Therefore, no CEQA determination is required.

ENCLOSURE: None

RECOMMENDATION: Receive presentation and provide feedback to City staff and the consultant team.

8.1 Council Referrals

8.1.1 COUNCIL DISCUSSION: Discussion of Appointment to Vacant City Council Seat; Including Determination of Subsequent Process or Appointment

ENCLOSURES: City Council Vacancy Applications (alphabetical order)

- [Vinnie Bacon](#)
- [David Bonaccorsi](#)
- [Robert Brunton](#)
- [Robert Carothers](#)
- [Yogi Chugh](#)
- [Teresa Cox](#)
- [Dominic Dutra](#)
- [Toai Le](#)
- [Raj Salwan](#)
- [Rakesh Sharma](#)
- [Moina Siddiqi](#)
- [Linda Susoev](#)
- [James Thomas](#)
- [Judy Zlatnik](#)

8.2 Oral Reports on Meetings and Events

ACRONYMS

ABAG.....	Association of Bay Area Governments	FUSD	Fremont Unified School District
ACCMA.....	Alameda County Congestion Management Agency	GIS	Geographic Information System
ACE	Altamont Commuter Express	GPA.....	General Plan Amendment
ACFCD	Alameda County Flood Control District	HARB	Historical Architectural Review Board
ACTA	Alameda County Transportation Authority	HBA	Home Builders Association
ACTIA	Alameda County Transportation Improvement Authority	HRC	Human Relations Commission
ACWD	Alameda County Water District	ICMA	International City/County Management Association
BAAQMD	Bay Area Air Quality Management District	JPA	Joint Powers Authority
BART	Bay Area Rapid Transit District	LLMD	Lighting and Landscaping Maintenance District
BCDC	Bay Conservation & Development Commission	LOCC	League of California Cities
BMPs	Best Management Practices	LOS	Level of Service
BMR	Below Market Rate	MOU	Memorandum of Understanding
CALPERS.....	California Public Employees' Retirement System	MTC.....	Metropolitan Transportation Commission
CBD	Central Business District	NEPA	National Environmental Policy Act
CDD.....	Community Development Department	NLC.....	National League of Cities
CC & R's	Covenants, Conditions & Restrictions	NPDES.....	National Pollutant Discharge Elimination System
CDBG	Community Development Block Grant	NPO.....	Neighborhood Preservation Ordinance
CEQA	California Environmental Quality Act	PC.....	Planning Commission
CERT	Community Emergency Response Team	PD	Planned District
CIP	Capital Improvement Program	PUC.....	Public Utilities Commission
CMA	Congestion Management Agency	PVAW	Private Vehicle Accessway
CNG.....	Compressed Natural Gas	PWC.....	Public Works Contract
COF	City of Fremont	RDA	Redevelopment Agency
COPPS	Community Oriented Policing and Public Safety	RFP	Request for Proposals
CSAC.....	California State Association of Counties	RFQ.....	Request for Qualifications
CTC	California Transportation Commission	RHNA	Regional Housing Needs Allocation
dB	Decibel	ROP.....	Regional Occupational Program
DEIR.....	Draft Environmental Impact Report	RRIDRO.....	Residential Rent Increase Dispute Resolution Ordinance
DO	Development Organization	RWQCB	Regional Water Quality Control Board
DU/AC.....	Dwelling Units per Acre	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District	SPAA	Site Plan and Architectural Approval
EDAC	Economic Development Advisory Commission (City)	STIP	State Transportation Improvement Program
EIR.....	Environmental Impact Report (CEQA)	TCRDF.....	Tri-Cities Recycling and Disposal Facility
EIS	Environmental Impact Statement (NEPA)	T&O	Transportation and Operations Department
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio	UBC	Uniform Building Code
FEMA.....	Federal Emergency Management Agency	USD.....	Union Sanitary District
FFD.....	Fremont Fire Department	VTa	Santa Clara Valley Transportation Authority
FMC.....	Fremont Municipal Code	WMA	Waste Management Authority
FPD.....	Fremont Police Department	ZTA.....	Zoning Text Amendment
FRC.....	Family Resource Center		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

<i>Date</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>	<i>Cable Channel 27</i>
December 15, 2010 – January 3, 2011		Council Recess		
January 4, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
January 11, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
January 18, 2011	TBD	Work Session	Council Chambers	Live
January 25, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 1, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 8, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 15, 2011	TBD	Work Session	Council Chambers	Live
February 22, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 1, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 8, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 15, 2011	TBD	Work Session	Council Chambers	Live
March 22, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 5, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 12, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 19, 2011	TBD	Work Session	Council Chambers	Live
April 26, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live